



07-08-05

Atty. Dkt. No. 047711-0221

RCE-ZFW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Ronald J. Lebel et al.

Title: AMBULATORY MEDICAL APPARATUS WITH HAND HELD COMMUNICATION DEVICE

Appl. No.: 09/768,196

Filing Date: 1/22/2001

Examiner: Matthew F. Desanto

Art Unit: 3763

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EV 445624523 US

July 7, 2005

(Express Mail Label Number)

(Date of Deposit)

(Printed Name)

Jose Ramos

(Signature)

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

**1. Submission required under 37 C.F.R. §1.114: (check items that apply)****a. Previously submitted:**

Please enter and consider the amendment and/or reply previously filed on \_\_\_\_.

Please consider the Affidavit(s)/Declaration(s) previously filed on \_\_\_\_ but not considered.

07/11/2005 CCHAU1 00000032 09768196  
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[ ] Please consider the arguments in the Appeal Brief or Reply previously filed on \_\_\_\_.

[ ] Other \_\_\_\_.

b. Enclosed are:

[ X ] Amendment/Reply.

[ ] Affidavit(s)/Declaration(s).

[ ] Information Disclosure Statement.

[ ] Form PTO-1449 with copies of \_\_\_\_ listed reference(s).

[ ] Other .

Miscellaneous:

[ ] Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$790.00	= \$790.00
Total Claims:	23	- 23	= 0	x \$50.00	= \$0.00
Independents	1	- 3	= 0	x \$200.00	= \$0.00
First presentation of any Multiple Dependent Claims:			+ \$360.00	=	\$0.00
CLAIMS FEE TOTAL:					= \$790.00

[ ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$120.00	0	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$450.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$1,020.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,590.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,160.00		\$0.00
	EXTENSION FEE SUBTOTAL:			\$0.00
	EXTENSION FEE ALREADY PAID:			\$0.00
	EXTENSION FEE TOTAL			\$0.00
	CLAIMS AND EXTENSION FEE TOTAL:			\$790.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):			\$0.00
<input type="checkbox"/>	Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
	TOTAL FEE:			\$790.00

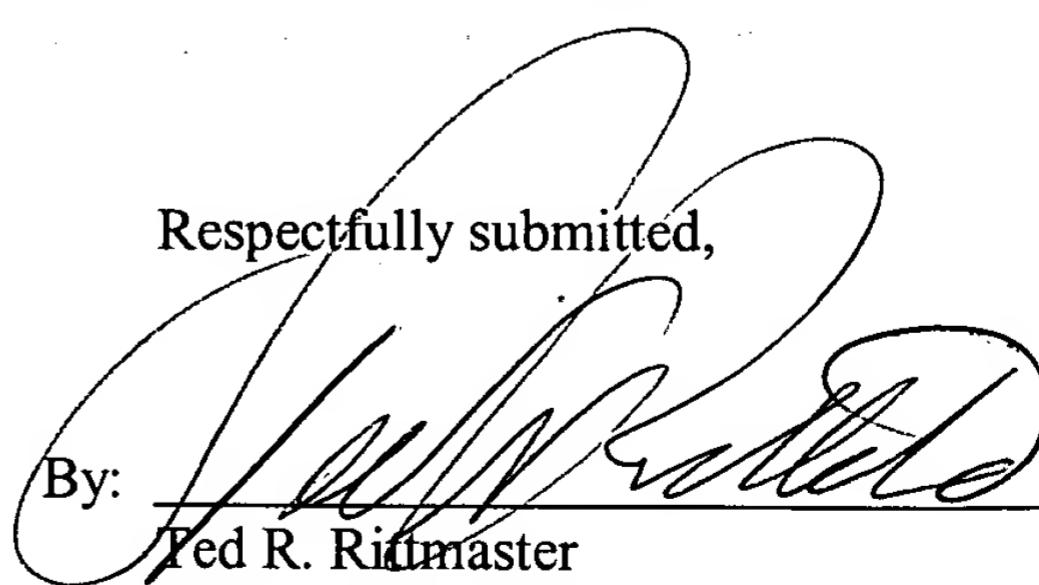
Please charge Deposit Account No. 50-0872 in the amount of \$790.00. A duplicate copy of this transmittal is enclosed.

A check in the amount of \$790.00 to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Date: July 7, 2005  
 FOLEY & LARDNER LLP  
 Customer Number: 23392  
 Telephone: (310) 975-7963  
 Facsimile: (310) 557-8475

Respectfully submitted,  
  
 By: Ted R. Rittmaster  
 Attorney for Applicant  
 Registration No. 32,933